

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF OHIO  
EASTERN DIVISION**

**GREAT WEST CASUALTY CO.,**

**Plaintiff,**

**v.**

**WAYNE FLANDRICH DBA J&W  
TRANSPORT, et al.**

**Defendants.**

:  
:  
:  
:  
:  
:  
:  
:  
:  
:  
:

**Case No. 2:07-CV-1002**

**JUDGE ALGENON L. MARBLEY  
Magistrate Judge Abel**

**ORDER**

This matter is before the Court on Plaintiff's Notice to the Court of Lift of Bankruptcy Stay (Dkt. 60). On May 6, 2009, this Court stayed the present case pending resolution of Defendant Wayne Flandrich's petition for bankruptcy (Dkt. 59). On October 28, 2009, the United States Bankruptcy Court for the Southern District of Georgia, Brunswick Division, issued a Consent Order lifting the automatic stay. The Consent Order requires that any recovery on a judgment in the above-captioned case be limited to the policy limits of Defendant Flandrich's insurance coverage, and cannot extend to his personal liability, unless the Chapter 13 bankruptcy case is dismissed prior to discharge being entered in favor of Mr. Flandrich. (Case No. 09-20272.) Accordingly, this Court lifts the stay on the present case. Plaintiff may proceed in this action subject to the recovery limitations placed by the Bankruptcy Court's Consent Order.

**IT IS SO ORDERED.**

s/Algenon L. Marbley  
**ALGENON L. MARBLEY**  
**UNITED STATES DISTRICT COURT**

**Dated: November 3, 2009**